

### REMARKS

Claims 8–22 were presented for examination and were rejected. No claims have been amended.

#### Power of Attorney

The November 18, 2003 Office Action, the March 29, 2004 Office Action, and the May 5, 2005 were all sent to the prior attorney for Assignee. A new power of attorney and change of correspondence address was filed with the Office on May 5, 2003, and was filed again with the response to the November 18, 2003 and March 29, 2004 Office Actions. Copies of all of these papers are *again attached*, making it the **fifth** time they have been submitted. **THE OFFICE IS REQUESTED TO DIRECT ALL FUTURE CORRESPONDENCE TO THE UNDERSIGNED'S CUSTOMER NUMBER AND ADDRESS.**

#### Change of Docket Number

Please change the Attorney Docket number in the Office's records to reflect the present attorney's docket number, *i.e.*, 199-0095US.

#### Claim Rejections

The Examiner rejected claims 8–22 under § 102(e) as anticipated by U.S. Patent 6,025,870 to Hardy ("Hardy"). As discussed below, claims 8–22 each recite at least one limitation not taught or suggested by Hardy, and are therefore allowable over Hardy. Because each independent claim (claims 8, 13, and 19) includes one or more limitations not taught or suggested by Hardy, only the independent claims are discussed herein.

Hardy is drawn to a videoconferencing system that includes a video switch for selecting focus video information. Hardy's system relates to a video switch device capable of "switching an input to a videoconference recording and/or viewing device between multiple available sources in a videoconference system." Hardy at col. 1, ll. 17–20. Like other videoconferencing units typical in the art, the Hardy system includes a videoconferencing unit (VCU) including a network interface for connection to various

peripherals located at the near endpoint, e.g., cameras and microphones. Hardy does not, however, disclose a multipoint control unit *integral* with a videoconferencing unit, as claimed in the present application.

Claim 8

For example, currently pending claim 8 recites the following:

8. (previously presented) A method for conducting a conference between a near conference endpoint and a plurality of remote conference endpoints connected for communication by a network, comprising the steps of:
  - at the near conference endpoint:
    - generating local audio and video signals;
    - receiving audio and video signals from the plurality of remote conference endpoints;
    - creating a plurality of processing trains for processing the received signals, each processing train uniquely corresponding to one of the plurality of remote conference endpoints;***
    - processing the received audio and video signals;
    - combining the processed audio and video signals with the local audio and video signals; and
    - transmitting the combined audio and video signals to each of the plurality of remote conference endpoints.

As explained in the following analysis, Hardy is missing *at least* the highlighted limitation required by pending claim 8.

Hardy contains no teaching or suggestion of “***creating a plurality of processing trains ... uniquely corresponding to one of the plurality of remote conference endpoints.***” The Examiner suggests this limitation may be found in Hardy at col. 3, ll. 13–34 and col. 5, l. 32–col. 6, l. 34. However, review of those passages clearly indicates that they do not disclose or suggest multiple processing trains for signals received from a plurality of remote endpoints. The passage at col. 3, ll. 13–34 describes the sequence of events by which the video switch described by Hardy determines which one of the local video sources is the current video source. That passage never teaches or suggests creating a plurality of processing trains as claimed in the present application; only one source is processed. Thus, this passage does not support Examiner’s argument that “a plurality of processing trains each ... uniquely corresponding to one of the plurality of remote conference endpoints” is

taught or suggested by Hardy.

The second passage of Hardy cited by Examiner (column 5, line 5 through column 6, line 51) as teaching multiple processing trains corresponding to multiple endpoints also fails to teach or suggest the required limitation. From casual inspection, it is clear that the passage contains no teaching or suggestion of “creating a *plurality of processing trains* ... uniquely corresponding to one of the *plurality of remote conference endpoints*.” The cited passage relates to interaction of Hardy’s network interface mux/demux, audio and video blocks, and video switch in processing audio and video information. There is no *plurality* of anything disclosed or suggested, and there is most certainly no *plurality of processing trains*. As noted above, a switch selects one of multiple sources for processing and thus only a single, and not a plurality, of processing trains are created.

The final passage of Hardy cited by Examiner (column 25, lines 12 – 29) also fails to teach or suggest the required limitation. This passage relates to the devices and connections required for industry-standard videoconference systems to transmit remote conference information to users at other corresponding sites. Like the other cited passages, this passage does not teach or even suggest “creating a plurality of processing trains for processing the received signals, each processing train uniquely corresponding to one of the plurality of remote conference endpoints.” There is no *plurality* of anything disclosed or suggested, and there is most certainly no *plurality of processing trains*.

Based on the absence of this limitation, it is respectfully submitted that claim 8 and all claims depending therefrom are allowable for at least the reasons discussed above. It is also noted that there may be other limitations of the claims not taught or suggested by Hardy. However, in view of the above, it is not necessary to address these differences at this time. Because claim 8 recites one or more limitations not found in the cited art of record, reconsideration and withdrawal of the rejection of claim 8 and the claims depending therefrom is respectfully requested.

#### *Claim 13*

The Examiner also rejected independent claim 13 under § 102(e) in view of Hardy. Claim 13 recites the following:

13. (previously presented) A multi-point capable video conferencing endpoint

comprising:

- a network interface for receiving remote audio and video data from a plurality of remote endpoints through a network;
- an audio interface for receiving local audio data from a local source;
- a video interface for receiving local video data from a local source; and
- a CPU programmed to control receipt of the remote audio and video data, receipt of the local audio and video data; combination of the remote audio and video data with the local audio and video data; and transmission of the combined audio and video data to each of the plurality of remote endpoints through the network.***

Most relevant to the following analysis is the CPU limitation, which requires a CPU programmed to control four things: (1) receipt of remote audio and video data, (2) receipt of local audio and video data, (3) *combination of the remote and local audio and video data*, and (4) *transmission of the combined audio and video data to each of the plurality of remote endpoints through the network*. Combining remote audio and video data with local audio and video data is not disclosed in Hardy, and thus neither is the transmission of the combined data to a *plurality* of remote endpoints through the network. If these activities are not present, there is also no CPU present to control these activities.

Examiner contends that a CPU programmed to control transmission of the combined data is found in Hardy at col. 5, l. 32–col. 6, l. 34. Review of the passage cited by Examiner indicates that Hardy teaches transmitting local audio and video information (col. 5, ll. 46–48), mixing local and remote audio information (col. 5, ll. 56–58), processing local video information (col. 5, ll. 61–63), and processing remote video information (col. 5, ll. 61–63). However this passage contains no teaching or suggestion of transmitting a signal resulting from the *combination of local audio and video data with remote audio and video data*. Rather, Hardy specifically teaches *selecting* (i.e., choosing *one*), not combining (choosing *all*), from among the local and remote video information (col. 6, ll. 34–35) and *selecting*, not combining, local video information (col. 6, l. 48). Accordingly, “a CPU programmed to control receipt of the remote audio and video data, receipt of the local audio and video data; combination of the remote audio and video data with the local audio and video data; and transmission of the combined audio and video data to each of the plurality of remote endpoints through the network” of claim 13 is neither taught nor suggested anywhere in Hardy. Thus, Hardy cannot teach or suggest transmission of the combined signal to a

plurality of endpoints.

Based on the absence of the referenced limitation, it is respectfully submitted that claim 13 and all claims depending therefrom are allowable for at least the reasons discussed above. It is also noted that there may be other limitations of these claims not taught or suggested by Hardy and that lack of analysis of these limitations should not be construed as an admission that these limitations are taught or suggested by Hardy. Because claim 13 recites one or more limitations not found in the cited art of record, reconsideration and withdrawal of the rejection of claim 13 and the claims depending therefrom is respectfully requested.

*Claim 19*

Finally, the Examiner also rejected claim 19 as anticipated under § 102(e) by Hardy. Claim 19 recites the following:

19. (previously presented) A multi-point capable video conferencing endpoint comprising:
- means for receiving remote audio and video data from a plurality of remote video conferencing endpoints;
  - means for receiving audio data from a local audio source and video data from a local video source;
  - means for combining the local audio data with the remote audio data and the local video data with the remote video data; and*
  - means for transmitting the combined audio data and combined video data to the plurality of remote video conferencing endpoints.*

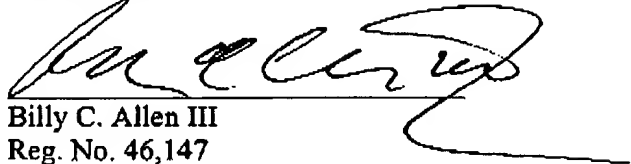
As with claims 8 and 13, claim 19 recites limitations that are not taught or suggested by Hardy. In his rejection of this claim, Examiner proposes that "this is a means claim with similar limitations as claim 1 and 13 above. Therefore it is rejected with the same rationale." As noted above, the rejection of claims 8 and 13 is improper because the reference fails to disclose each and every limitation of these claims. Therefore, rejection of claim 19 is inappropriate for the same reasons. Furthermore, claim 19 phrases the limitations in means plus function language, thereby invoking 35 U.S.C. § 112, paragraph 6. As Examiner knows, the scope of such a claim is the means disclosed in the specification and equivalents thereof, and thus proper construction of the claim is not necessarily identical to the prior claims using similar wording. Therefore, reconsideration of the claim

in light of the proper legal standard is requested.

Reconsideration and withdrawal of the rejection of claim 19 and the claims depending therefrom is respectfully requested.

\* \* \* \* \*

Respectfully submitted,



Billy C. Allen III  
Reg. No. 46,147

CUSTOMER NO. 29855  
Wong, Cabello, Lutsch,  
Rutherford & Brucculeri, L.L.P..  
20333 SH 249. Suite 600  
Houston, TX 77070  
Voice 832/446-2409  
Fax 832/446-2424